

REMARKS

It should be appreciated that the effective filing date of January 19, 2004 for the present application is roughly 3 months after the filing date of Gehrs. Although not believed necessary, applicant reserves the right to file a declaration showing invention prior to the filing date of Gehrs. If Examiner Nguyen has any questions relating thereto, please contact the undersigned.

As set forth at least at the first paragraph of page 3 of the English specification, an advantage of the present invention is that the connecting elements no longer exert a load on the recesses mainly at the ends but further toward the center.

It is respectfully noted that Gehrs does not disclose torque loaded connecting elements at all. Specifically, according to the whole disclosure of Gehrs, the torque is transmitted by the alignment of sections of the rotor with sections of the hub, and the bearing pins are non-loaded.

Special reference is made to the following parts of Gehrs:

There are two independent claims, i.e. claim 1 and claim 8. Both are directed to

1. A floating brake rotor assembly with non-load bearing pins, comprising:

8. A floating brake rotor assembly with non-load bearing pins, comprising:

This is in line with the summary of the invention (emphasis added):

[0013] The floating brake rotor assembly with **non-load bearing pins** ...

[0015] Accordingly, it is a principal object of the invention to provide a floating brake rotor assembly that minimizes localized deformation and decreases wear of rotor, hub and pins by incorporating **non-load bearing pins** and spreading load transfer forces over a greater area.

This is also in line with the description of the embodiments (emphasis added):

[0022] FIG. 1 is a side view of a floating brake rotor assembly with **non-load bearing pins** according to the present invention ...

[0025] FIG. 4 is a fragmented, side elevation view of the rotor and hub for the floating brake rotor assembly, the pins not being shown in order to depict **alignment of the protruding members on the rotor with indentations on the hub**.

[0026] FIG. 5 is a side view of an alternative embodiment of a floating brake rotor assembly with non-load bearing pins according to the present invention.

[0027] FIG. 6 is a fragmented, side view of the rotor and hub of the floating brake rotor assembly of FIG. 5, the pins being omitted in order to show **alignment of protruding members on the rotor with indentations on the hub**.

[0028] FIG. 7 is a side view of another alternative embodiment of a floating brake rotor assembly with **non-load bearing pins** according to the present invention, the pins being omitted.

[0030] The present invention is a floating brake rotor assembly with **non-load bearing pins** ...

[0039] Both of these alternative floating brake rotor assemblies 50 and 70 are designed to work in one direction. Hence, the pin and spring assemblies of each assembly 50 and 70 are **non-load bearing** only when brake pads are applied to the brake rotors 51 and 80 while either brake

rotor assembly 50 and 70, as shown in FIGS. 5 and 7, is spinning in a counter-clockwise rotation. Thus, these assemblies 50 and 70 are useful primarily for vehicles that are driven in only one direction, such as motorcycles.

Thus, although it is possible to identify “angles” in Gehrs, even “angles” potentially within the numerical range recited, Gehrs does not and cannot disclose the angle between the connecting lines between the ends of the recess to a tangential direction in a manner as recited in the claims. Thus, contrary to the contentions of Examiner Nguyen, Gehrs does not show and/or support the modification needed to Beringer to arrive at the recitations of the claims. Thus, it is respectfully submitted that the rejections of the claims have been overcome.

Furthermore, in a spirit of conciliation to advance prosecution of the present application, claim 1 has been amended to further define the present invention in a manner to distinguish over the prior art. Thus, it is respectfully submitted that claim 1 and the claims which depend therefrom are in condition for allowance for this separate and independent reason. Favorable reconsideration is respectfully requested.

Therefore, since the claims of the present application have been shown to include limitations directed to the features of applicants’ Brake Disk, which are neither shown, described, taught, nor alluded to in any of the references cited by the Examiner and by the applicants, whether those references are taken singly or in any combination, the Examiner is requested to allow claims 1 – 20, as amended, of the present application and to pass this application to issue.

In view of the foregoing remarks, it is believed that the application is now in condition for allowance and such action is respectfully requested. If any points remain in issue which the Examiner feels could best be resolved by either a personal or telephone interview, the Examiner is urged to contact Applicants’ attorney at the exchange listed below.

Respectfully Submitted,
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